IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.THANKAPPAN

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

RP.No. 235 of 2007(D)

AGAINST THE JUDGEMENTIN WPC.35526/2005 Dated 10/07/2006

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PETITIONER/1ST RESPONDENT:

THE NILESWAR SERVICE CO-OPERATIVE
BANK LIMITED, REPRESENTED BY ITS SECRETARY,
NILESWAR P.O.

BY ADV. SRI.V.G.ARUN

RESPONDENTS: PETITIONER AND 2ND RESPONDENT

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1. L.B.BEEFATHUMMA, KOTTAPPURAM,
NEELESWAR P.O.

2. THE JOINT REGISTRAR OF CO-OPERATIVE
SOCIETIES, KASARAGOD.

R2-BY GOVERNMENT PLEADER SRI.P. RAVINDRA BABU
R1-BY SRI.K.S.MANU

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 16/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K. THANKAPPAN, J.

R.P.NO.235 OF 2007
in
W.P.(C).NO.35526 OF 2005-D

Dated this the 16th day of March, 2007.

O R D E R

This is an application for review of the judgment of this Court in W.P.(C).No.35526/2005. By the above judgment, this Court directed the 1st respondent in the writ petition/petitioner herein to consider Ext.P2 application filed by the writ petitioner and pass appropriate orders thereon and if the petitioner is found eligible for one time settlement or any other benefit, that shall be considered.

2. The revision is sought on the ground that the defaulter had already paid all the dues to the Bank and he requested to re-convey the property and the Bank is also willing for that. But, for that purpose, the review of the order is not alerted. Even if the review petitioner Bank wants to re-convey the property, the Bank can move this Court under Article 226 of the Constitution of India by filing a writ petition for that purpose, provided that there is no provision in the Act and

Rules for the purpose sought.

With the above observations, the review petition stands dismissed.

K. THANKAPPAN, JUDGE.

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